

Exhibit A

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DANNY R. TEAGLE, individually and
on behalf of all others similarly situated,

Civil No. 11-1280 (RWS-CCH)

Plaintiff,

v.

LEXISNEXIS SCREENING
SOLUTIONS, INC., formerly known as
CHOICEPOINT'S WORKPLACE
SOLUTIONS, INC., and IGLOO
PRODUCTS CORP.,

Defendants.

**DECLARATION OF MATT O'CONNOR IN SUPPORT OF
DEFENDANT LEXISNEXIS SCREENING SOLUTIONS INC.'S
OPPOSITION TO PLAINTIFF'S MOTION FOR
LEAVE TO FILE AN AMENDED COMPLAINT**

I, Matt O'Connor, declare as follows:

1. I am employed by LexisNexis Risk Solutions Inc. as Senior Director of Operations. I have held this position since May 12, 2009. My business address is 13950 Ballantyne Corporate Place, Suite 200, Charlotte, North Carolina 28277. I make this declaration on personal knowledge and am competent to testify on the matters below.

2. LNSSI's business records disclose that on August 11, 2010, a representative from CDI Corporation, Markita Gatewood, contacted LNSSI and ordered a background report for prospective employee Jesus Salazar.

3. CDI provided identification information to LNSSI that it had received from Mr. Salazar, and directed LNSSI to conduct criminal records searches in both Mr. Salazar's then-current county of residence (Dallas County, Texas) and prior counties of residence, Tarrant and Bexar. LNSSI used the name provided by CDI and variants of that name to conduct online criminal records searches in those counties.

4. LNSSI conducts hundreds of transactions daily in San Antonio (Bexar County). As such, it is LNSSI's practice to use the online systems and tools that are readily available for public records searches. The records for the August 2010 report were retrieved from the Bexar County Public Info system, via remote access from our Operations Center in Charlotte.

5. The two criminal records located in LNSSI's online searches are reflected in the report it provided CDI, a redacted copy of which is attached as Exhibit C to LNSSI's opposition to plaintiff's motion for leave to file an amended complaint. In the description of the Bexar County record, the report states "Partial matched by . . . DOB," meaning that the date of birth on the record (shown in the

report as November 18, with no year of birth) partially matched the date of birth supplied for Mr. Salazar by CDI. Mr. Salazar's stated month and day of birth is also November 18. The "partial matched" comment thus signifies that the year of birth supplied by Mr. Salazar and the year of birth associated with the felon were not the same.

6. Although CDI provided a social security number for Mr. Salazar, LNSSI's report did not include a social security number for each criminal record in the report. This is because none of the counties in question neither permits searches by social security number nor return social security numbers on items retrieved using other search criteria, such as first and last name.

7. If a social security number had been included in any of the online county criminal records, LNSSI would have used that number in the preparation of the report. If the social security number available online matched exactly that supplied by the subscriber, LNSSI would have placed a statement on the report saying "Full matched by . . . SSN" and would have displayed at least part of the retrieved social security number. Had only a partial social security number been available online (e.g., last four digits only), and that information matched the information supplied by the subscriber, LNSSI would have placed a statement on the report saying "Partial matched by . . . SSN," and would have displayed at least

part of the social security number retrieved. Had a social security number retrieved online been inconsistent with that supplied by the subscriber, the criminal record would not have been included in the report. The fact that the Bexar County criminal record appears in Mr. Salazar's report with the entry "XXX-XX-XXXX" in the "Social Security # On File" field and the report does not contain any statement as to a match on social security number signifies that no social security number was retrieved for that criminal record, and that the record has thus *not* been matched on that basis.

8. The background check on Mr. Salazar was completed on August 20, 2010.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on September 30, 2011, at Charlotte, North Carolina.

/s Matt O'Connor
Matt O'Connor